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# UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF INDIANA

[This form is for prisoners to sue for civil rights violations. NEATLY print in ink (or type) your answers.]

Mike Gillam

[You are the **PLAINTIFF**, print your full name on this line.]

v.

Ron Neal, Warden Et. Al

[The **DEFENDANT** is who you are suing. Put ONE name on this line. List ALL defendants below, including this one.]

Case Number 3:22-CV-220

[For a new case in this court, leave blank.  
The court will assign a case number.]

[The top of this page is the caption. Everything you file in this case must have the same caption. Once you know your case number, it is VERY IMPORTANT that you include it on everything you send to the court for this case. DO NOT send more than one copy of anything to the court.]

## PRISONER COMPLAINT

#	Defendant's Name and Job Title	Work Address
1	Staff of Indiana Department of Corrections to include in their professional and individual capacities; Ron Neal, Warden	1 Park Row Michigan City, In 46360-6597
2	Mrs. R Brennan, ISP PREA coordinator	1 Park Row Michigan City, In 46360-6597
3	Mark Newkirk, Executive Assistant	1 Park Row Michigan City, In 46360-6597
4	Pam Banes, Unit Team Manager	1 Park Row Michigan City, In 46360-6597
5	Jackeline Mays, Unit Team Manager	1 Park Row Michigan City, In 46360-6597
6	Major Warlow,	1 Park Row Michigan City, In 46360-6597
7	Bessie Lenard, U.T.M. Others to be added as investigation reveals	1 Park Row Michigan City, In 46360-6597

[If you are suing more defendants, attach an additional page. Number each defendant. Put the name, job title, and work address of each defendant in a separate box as shown here.]

1. How many defendants are you suing? 7
2. What is the name and address of your prison or jail? Indiana State Prison  
1 park row Michigan City IN 46360-6597

[DO NOT write in the margins or on the back of any pages. Attach additional pages if necessary.]

3. Did the event you are suing about happen there? ☒ Yes. ☐ No, it happened at: \_\_\_\_\_

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4. On what date did this event occur? Jan 9 2021 thru the present

CLAIMS and FACTS

DO: Write a short and plain statement telling what each defendant did wrong.

DO: Use simple English words and sentences.

**DO NOT:** Quote from cases or statutes, use legal terms, or make legal arguments.

DO: Explain when, where, why, and how each defendant violated your rights.

DO: Include every fact necessary to explain your case and describe your injuries or damages.

DO: Number any documents you attach and refer to them by number in your complaint.

**DO NOT:** Include social security numbers, dates of birth, or the names of minors.

DO: Use each defendant's name every time you refer to that defendant.

DO: Number your paragraphs. *[The first paragraph has been numbered for you.]*

1. In 2020 the administration of the prison went thru E dorm placing 'X's on the cubes of offenders who had a history of attacking staff members. This action allowed the dorm population to see who was violent and who was not and prey on one another accordingly.
2. In January 9<sup>th</sup> 2021 after a rumor was circulated that the Dorm Clerk and Dorm Porters had overheard Mrs. Mays (UTM) claim I "was snitching on drugs, alcohol, and cell phones in the dorm", I was jumped from behind, I never saw this happen but was informed that several inmates had to throw me in my bed. After laying there for 20 hours another inmate called his family and asked them to call the prison and have the Intelligence and Investigations unit check on my health. I.S.P. staff found me with a black eye and confused, I was taken to an outside E.R. Eventually I ended up in South Bend Memorial Hospital due to several fractures in my skull and hemorrhaging in my brain (stroke), Doctors were surprised I was still alive. Prison I & I later charged Inmate Marshaun Bugg with the attack.
3. In March 2021 I was moved from E dorm to I cell house, an honor cell house with more privileges and open doors to help me exercise. Mrs. Banes the UTM kept placing me with inmates that had problems with my charges. The 3<sup>rd</sup> cell mate, Mr. Praul "Iowa" was convicted with attempted murder and had several cases of violence while in prison, and was less than thrilled with my case. This was a poor paring due to Mr. Praul "Iowa"'s record of preying on inmates, assaulting inmates and staff, and my Traumatic brain injury, recent diagnosis of Multiple Sclerosis, and still recovering from the Stroke, clearly a mentally compromised situation on my side.
4. ~October 10, 2021 I woke up to Mr. Praul "Iowa" in my bed pinching my nipple and telling me that due to Mr. Praul "Iowa" having life in prison he would be happy to help me discover my homosexual side. I told Mr. Praul "Iowa" to get back in his own bed. I reported this on Tuesday Oct 12<sup>th</sup> 2021, when the staff arrived from a holiday weekend, to Mrs. Lenard asst. UTM who phoned Mrs. Banes (her boss and UTM) and sent me to I & I to be interviewed

[DO NOT write in the margins or on the back of any pages. Attach additional pages if necessary.]

(video recorded). Upon returning to I cell house I was told I was to be moved to general Population and C cell house. I asked about "Iowa" and was told without video tape proof it was hard to prove this happened. I continued my complaints calling the sexual Assault line (\*80) 4 times, emailing the Ombudsmen (tracking numbers 21-66529, 21-65985, and 22-78222), and filing request slips leading to a grievance (I received the reply this was not a grieve able issue) a Classification appeal (included) and several pages of information that was kept by the staff in the process of these complaints (inmates have all access to photocopiers in the law library monitored by staff preventing a proper paper trail from forming, and are known to remove pages from complaints when replying/returning them to inmates)

5. I followed the complaints up with a conversation on 5/19/22 With Mable Wheeler Certified PREA auditor for Diversified Correctional Services LLC. (PO Box 5736 Macon GA 31208) in her official duties of auditing the Indiana State Prisons compliance with the Prison Rape Elimination Act as passed by Congress. I am unsure how to get full copies of all these events from the D.O.C. but hope to learn...

[illegible]

5. When did this event happen?

☐ Before I was confined.

☐ While I was confined awaiting trial.

☒ After I was convicted while confined serving the sentence.

☐ Other: \_\_\_\_\_

6. Have you ever sued anyone for this exact same event?

☒ No.

☐ Yes, attached is a copy of the final judgment OR an additional sheet listing the court, case number, file date, judgment date, and result of the previous case(s).

7. Could you have used a prison grievance system to complain about this event?

☐ No, this event is not grievable at this prison or jail.

☒ Yes, I filed a grievance and attached is a copy of the response from the final step.

☐ Yes, this event was grievable, but I did not file a grievance because \_\_\_\_\_

8. If you win this case, what do you want the court to order the defendant(s) to do?

[NOTE: A case filed on this form will not overturn your conviction or change your release date.]

RELIEF TO THE FULLEST EXTENT OF THE LAW

[Initial Each Statement]

\_\_\_\_\_ I will pre-pay the filing fee OR file a prisoner motion to proceed in forma pauperis.

\_\_\_\_\_ I will keep a copy of this complaint for my records.

\_\_\_\_\_ I will promptly notify the court of any change of address.

\_\_\_\_\_ I WILL NOT send more than one copy of any filing to the court.

\_\_\_\_\_ I WILL NOT send summons, USM-285, or waiver forms to the clerk.

\_\_\_\_\_ I declare under penalty of perjury that the statements in this complaint are true.

I placed this complaint in the prison mail system on \_\_\_\_/\_\_\_\_/20\_\_\_\_ at \_\_\_\_\_ am/pm.

[Do not fill in this date and time until you give the complaint to prison officials to send to the court.]

Signature

223879

Prisoner Number

[DO NOT write in the margins or on the back of any pages. Attach additional pages if necessary.]

I have written the below and tried to have them placed on my phone list.  
No replies to mail yet and I.S.P. refuses to allow me to "cold call" lawyers.

Anderson, Agostino & Keller  
South Bend, IN  
Cynthia M Carter Law Offices  
Indianapolis, IN  
Learner & Rowe

312-222-2222

Helot & Mack  
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STN Attorney at Law

Jason Sutton

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